



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)

Paul E. Jacobs *et al.*)

Serial No. 09/728,065)

Filed: December 1, 2000)

For: E-MAIL SOFTWARE AND
METHOD AND SYSTEM FOR
DISTRIBUTING
ADVERTISEMENTS TO CLIENT
DEVICES THAT HAVE SUCH E-
MAIL SOFTWARE INSTALLED
THEREON

) Group No. 2163

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted under 37 CFR §1.53, which was mailed on January 18, 2001, enclosed are:

1. Office's copy of Form PTO-1533 as required;
2. Executed Combined Declaration/Power of Attorney;
3. Additional copy of this Response; and
4. Return postcard.

Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$130.00 for the surcharge fee set forth in 37 CFR §1.16(e). The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

March 16, 2001

(Date of Deposit)

Deborah Deas

(Name of the Person Making Deposit)

(Signature)

to Deposit Account No. 17-0026. A duplicate copy of this letter is enclosed. The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant to 37 CFR §1.25(b), any fee whatsoever that may become properly due or payable, as set forth in 37 CFR §1.16 to 37 CFR §1.18, inclusive, for the entire pendency of this application without specific additional authorization.

Respectfully submitted,

Dated: March 16, 2001

By: Robert J. O'Connell
Robert J. O'Connell
Registration No. 44,265

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-1179
Facsimile: (858) 658-2502



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LETTER TO OFFICIAL DRAFTSMAN
TRANSMITTING FORMAL DRAWINGSCommissioner for Patents
Washington, D.C. 20231

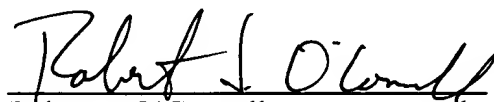
Dear Sir:

Enclosed are forty-two (42) sheets of formal drawings.

Respectfully submitted,

Dated: March 16, 2001

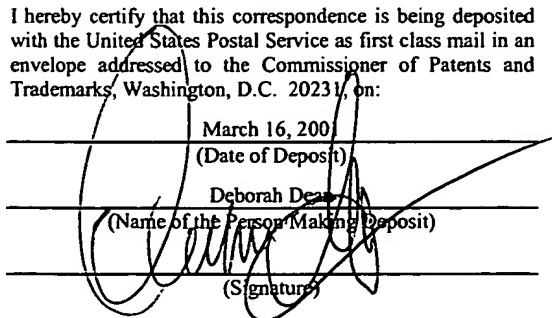
By:


Robert J. O'Connell
Registration No. 44,265QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-1179
Facsimile: (858) 658-2502I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
envelope addressed to the Commissioner of Patents and
Trademarks, Washington, D.C. 20231, on:March 16, 2001

(Date of Deposit)

Deborah D...

(Name of the Person Making Deposit)


(Signature)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,065	12/01/2000	Paul E. Jacobs	PA000381

CONFIRMATION NO. 3959

FORMALITIES LETTER



OC000000005685649

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, CA 92121-1714

Date Mailed: 01/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

03/22/2001 AWONDAF1 00000094 170026 09728065

- The balance due by applicant is \$ 130. 01 FC:105 130.00 CH

The following item(s) appear to have been omitted from the application:

- Figure(s) 18B, 18C, 18D, 18E described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

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application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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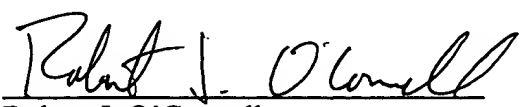
JAN 31 2001



Applicants respectfully request that the Office records be corrected and that a new filing receipt be issued to Applicants. A copy of the incorrect Filing Receipt with the requested changes handwritten thereon and the Combined Declaration/Power of Attorney is enclosed for your convenience.

Respectfully submitted,

Dated: March 16, 2001

By: 
Robert J. O'Connell
Registration No. 44,265

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